

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

USDC Docket Number : 04-cv-10451

Joseph P. Schmitt

v.

Jeffrey Smith, et al

**CLERK'S CERTIFICATE**

I, Sarah A. Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents numbered:

1-51, 53-108, 110-113

Sealed Documents 52, 109

and contained in I & II Volume(s) are the original or electronically filed pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 2/27/2008.

In testimony whereof, I hereunto set my hand and affix the seal of this Court on March 5, 2008.

Sarah A. Thornton, Clerk of Court

By:

Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 3/12/08.

[Signature]  
Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: 08-1292